

AGENDA



AUSTIN CITY COUNCIL WORK SESSION

Tuesday, August 16, 2011

The Austin City Council will convene at 9:00 AM on
Tuesday, August 16, 2011 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5

For meeting information, contact the City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a “competitive matter” of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:00 AM – City Council Convenes

A. Pre-Selected Agenda Items

A.1 NONE SUBMITTED.

B. Council Items of Interest

B.1 NONE SUBMITTED.

C. Briefings

C.1 NONE SUBMITTED.

D. Executive Session

D.1 Discuss legal issues related to No. 10-0316; City of Austin, Petitioner v. Harry M. Whittington, et al., Respondents; In the Supreme Court of Texas (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

D.2 Discuss legal issues in Eddie Rodriguez, et al v. Rick Perry et al, Cause No. SA-11-CA-635-OLG-JES-XR [Consolidated case], U.S. District for the Western District of Texas, San Antonio Division. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

Regular Items

Approval of Minutes

- 1. Approve the minutes of the Austin City Council work session of August 2, 2011, regular meeting of August 4, 2011, and special called meeting of August 10, 2011.**

Austin Energy

2. Authorize negotiation of a power purchase agreement with MAP Royalty Inc., Palo Alto, CA, for a term of up to twenty-five years for up to 91 megawatts of wind-generated electricity in an estimated amount of \$13,000,000 per year, for an estimated total contract amount of \$325,000,000.
3. Authorize negotiation of a power purchase agreement with Duke Energy Generation Services, Houston, TX, for a term of up to twenty-five years for up to 200 megawatts of wind-generated electricity in an estimated amount of \$32,800,000 per year, for an estimated total contract amount of \$820,000,000.

Communications and Technology Management

4. Authorize the negotiation and execution of two Interlocal Agreements between the City and the Capital Area Council of Governments (CAPCOG) related to the City's participation in the enhanced 9-1-1 emergency telephone system as follows: CAPCOG reimbursement in an amount not less than \$330,414 to the City for maintenance of the 9-1-1 database on a county-wide basis for a 12-month term with one renewal option for 12-months in an amount not less than \$330,414, for a total contract amount not less than \$660,828; and CAPCOG reimbursement in an amount not less than \$7,000 to the City to maintain the CAPCOG Public Service Answering Points, upgrade equipment, and train personnel to participate in the enhanced 9-1-1 emergency telephone system in the ten-county CAPCOG region, with one 12-month renewal option in an amount not less than \$7,000, for a total contract amount not less than \$14,000.

Contract and Land Management

5. Authorize execution of a construction contract with AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY INC., Pflugerville, TX for the Annual Traffic Signal Installation/Modification 2011 for a total award amount not to exceed \$1,238,108.41.
6. Authorize execution of a construction contract with DNT CONSTRUCTION, Round Rock, TX for Pleasant Valley Road Extension from St. Elmo to Button Bend in the amount of \$3,654,869.66 plus a \$182,743.48 contingency, for a total contract amount not to exceed \$3,837,613.14.
7. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS, LP, Austin, TX for Reicher Ranch Road Repair in the amount of \$196,238 plus a \$9,811.90 contingency, for a total contract amount not to exceed \$206,049.90.
8. Authorize execution of a construction contract with GARNEY COMPANIES, INC., Kansas City, Missouri for the Wildhorse Ranch Northwest Wastewater Project, in the amount of \$1,264,053.50 plus a \$63,202.68 contingency, for a total contract amount not to exceed \$1,327,256.18.
9. Authorize execution of change order #3 to the construction contract with TEXAS STERLING CONSTRUCTION CO., INC., San Antonio, TX, for the Group 3 Northeast Residential Street Reconstruction and Utility Adjustments Project, an ACCELERATE AUSTIN PROJECT, in the amount of \$219,366, for a total contract

amount not to exceed \$3,520,546.92.

10. Authorize execution of a construction contract with BRH-GARVER CONSTRUCTION, L.P., Houston, TX for the Main to Montopolis Reclaimed Water Main in the amount of \$4,993,324.20 plus a \$349,532.69 contingency, for a total contract amount not to exceed \$5,342,856.89.
11. Authorize execution of a construction contract with SMITH CONTRACTING COMPANY, INC., Austin, TX for the Little Shoal Creek Realignment and Utility Relocation - Phase I project in the amount of \$4,774,017 plus a \$716,102.55 contingency, for a total contract amount not to exceed \$5,490,119.55. Related to Item #72.

Emergency Medical Services

12. Approve an ordinance authorizing acceptance of \$1,000 in grant funds from the Safe Kids USA Never Leave Your Child Alone in a Car Texas Task Force, and amending the Fiscal Year 2010-2011 Emergency Medical Services Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate \$1,000 for supply costs related to the Emergency Medical Service's Hyperthermia Awareness Program.

Financial and Administrative Services

13. Approve an ordinance authorizing acceptance of \$240,000 in American Recovery and Reinvestment Act grant funds from the United States Department of Energy administered through the Railroad Commission of Texas; amending the Fiscal Year 2010-2011 Fleet Services Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate these funds; and amending the Fiscal Year 2010-2011 Fleet Services Department Capital Budget (Ordinance 20100913-003) to transfer in and appropriate \$240,000 from the Fiscal Year 2010-2011 Fleet Services Department Operating Budget Special Revenue Fund to convert sixty vehicles to propane use.

Health and Human Services

14. Authorize negotiation and execution of Amendment No.1 to the Agreement for Social Services with THE SALVATION ARMY, INC., to increase funding to provide for replacement of the air conditioning system, telephone system and plumbing repairs at the Women and Children's Shelter, in an amount to not to exceed \$263,000 for a total contract amount not to exceed \$4,901,466.
15. Authorize negotiation and execution of Amendment No. 2 to the social services contract between the City of Austin and Caritas of Austin for the Best Single Source Program to provide funding for rent, utility assistance, and training to prevent homelessness in an amount not to exceed \$131,000 for a total contract amount not to exceed \$993,909.
16. Authorize negotiation and execution of contract amendments to TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, HOMELESS HOUSING AND SERVICES PROGRAM (HHSP) grant contracts to provide funding for rent and utility assistance to homeless and near-homeless individuals and families

through May 31, 2012 with the following parties: FOUNDATION COMMUNITIES, INC. in an amount not to exceed \$50,000 for a total contract amount not to exceed \$499,689 and TRAVIS COUNTY DOMESTIC VIOLENCE AND SEXUAL ASSAULT SURVIVAL CENTER (dba SAFEPLACE) in an amount not to exceed \$50,000 for a total contract amount not to exceed \$150,000.

17. Authorize negotiation and execution of Amendment No. 10 to an Interlocal Agreement between the CITY OF AUSTIN, AUSTIN TRAVIS COUNTY INTEGRAL CARE, and TRAVIS COUNTY regarding funding for substance abuse treatment services and related behavioral healthcare services to increase Travis County's funding by \$28,891 for an annual amount not to exceed \$1,930,430 (\$958,990 City; \$971,440 County) from October 1, 2010 through September 30, 2011 with no renewals.

Law

18. Approve a settlement in Nan Galvan v. City of Austin, et al; Cause No. D-1-GN-08-003538, In the 353rd Judicial District Court, Travis County, Texas

Management Services

19. Approve an ordinance vacating the portion of Colorado Street between 10th and 11th Streets and certain other City-owned rights-of-way adjacent to the Texas Governor's Mansion; authorizing the City Manager to negotiate and execute a master agreement with the State of Texas regarding the use of the vacated City right-of-way; amending Chapter 12-1 of the City Code to restrict vehicular traffic on the vacated portion of Colorado Street; authorizing the reimbursement of costs to relocate City utilities in an amount not-to-exceed \$178,440.90; and waiving certain other requirements under Chapter 14-11 relating to vacation of right-of-way.

Office of Real Estate Services

20. Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for a 1.711-acre tract of land for a permanent wastewater line easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160, in Travis County, Texas, in the amount of \$29,943. The owner of the needed property interests is KARAMALEGOS INVESTMENTS, LLC, aka KARAMALEGOS INVESTEMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY. The property is located on the southeast side of Parmer Lane and the north side of Boyce Lane, northeast of Austin, Travis County, Texas.
21. Approve a resolution authorizing the filing of eminent domain proceedings for the Williamson Creek Tributary 2 Spring Meadow-Lark Creek-Williamson Creek Project for 9,692 square feet of land for a permanent drainage easement, 33,919 square feet of land for a permanent drainage, detention water quality pond and access easement, and 33,919 square feet of land for a temporary staging and material storage site easement, all out of and a part of Lot 93, Block K, Second Amended Plat of Williamson Creek Subdivision Section Two, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof recorded in Volume 86, Pages 198B-199C, Plat Records of Travis County, Texas, in the amount of \$24,022. The owners of the necessary property interests are RAFIK S. MOMIN AND ROZMIN R. MOMIN. The property is located at 5001 Nuckols Crossing Road, Austin, Travis County, Texas.

22. Approve a resolution authorizing the negotiation and execution of all documents necessary or desirable to purchase in fee simple a tract of land totaling approximately 611 acres in Travis County, Texas, located on Bliss Spillar Road from 668 AVANA LAND HOLDINGS, LLC, through an assignment of an OPTION FOR THE PURCHASE OF REAL ESTATE by The Nature Conservancy (TNC) for a total amount not to exceed \$11,550,000, \$50,000 of which amount is for the payment of direct expenses incurred by TNC in connection with this transaction. Related to Item #71.
23. Authorize the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a drainage easement totaling approximately 0.0415 acres out of Lot 49, Ridgelea, in Travis County, Texas, located at 3908 Ridgelea Drive from ROBERT J. ZAMBARANO AND SUSAN ANGORGE for the Ridgelea Storm Drain Improvements Project, in an amount not to exceed \$54,284.
24. Approve an ordinance vacating a 0.482 acre tract out of the S.P.R.R. Co. Survey, Abstract No. 750 and the W.M. Preece Survey, Abstract No. 2470, being a portion of that certain 0.543 acre tract conveyed to the City of Austin by Street and Utilities Deed, recorded in Document Number 2004091614. (Adjacent to 9716 FM 2222).
25. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire conservation easements totaling approximately 1.943-acres and an access easement of approximately 0.942-acre, out of the Isaac Decker League Survey No. 20, in Travis County, Texas, being a portion of Tract 1, Oltorf Addition, a subdivision in the City of Austin according to the map or plat of record in Volume 10, Page 12, of the Plat Records of Travis County, Texas, locally known as 1301 West Oltorf, from WOODVIEW MHC, LLLP for the Woodview Mobile Home Park (MHP) Buyout Program Project, in the amount of \$700,000 for the easements, plus eligible closing costs and other related expenses up to \$30,000, for an amount not to exceed \$730,000. Related to Item #26 and Item #70.
26. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire 14 mobile homes in the Woodview Mobile Home Park (MHP) for the Woodview MHP Buyout in an amount not to exceed \$350,000, plus relocation benefits, moving expenses and other related expenses not to exceed \$1,050,000, for a total amount not to exceed \$1,400,000. The Woodview MHP is located at 1301 West Oltorf, Lot 1 Oltorf Addition, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 10, Page 12, of the Plat Records of Travis County, Texas. Related to Item #25 and Item #70.

Planning and Development Review

27. Approve a resolution authorizing the issuance by Moore's Crossing Municipal Utility District ("District"), of Unlimited Tax Bonds, Series 2011, in an amount not to exceed \$2,000,000, and approving a substantial draft of the District's Bond Resolution and the Preliminary Official Statement.
28. Approve an ordinance authorizing acceptance of \$87,278 in grant funds from the National Park Service and amending the Fiscal Year 2010-2011 Planning and Development Review Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate \$87,278 for continued development and

implementation of the Web-based Historical Survey Web tool project.

29. Authorize the negotiation and execution of an interlocal agreement with University of Texas at Austin for continued development and implementation of the web-based Historical Survey Web tool project, in the amount of \$87,278.
30. Approve an ordinance authorizing the negotiation and execution of a Managed Growth Agreement with the Austin Baptist Church for the 11.426 acre tract located at 9925 McNeil Drive, part of The Offices at Ribelin Ranch site plan, known as SPC-2007-0497C(XT2).MGA

Police

31. Authorize the negotiation and execution of an Interlocal Agreement between the City of Austin and Travis County to accept and administer the 2011 Justice Assistance Grant Program (JAG) on behalf of the City of Austin and the Travis County Sheriff's Office. Related to Item #32.
32. Authorize application for \$393,697 in grant funding from the U.S. Department of Justice, Bureau of Justice Assistance, for the Justice Assistance Grant Program (JAG). The City of Austin will receive \$295,273 and Travis County will receive \$98,424. The City will use its JAG funds to pay for police equipment and supplies. Related to Item #31.
(Notes: Related to Item # ---- (8006))
33. Approve an ordinance authorizing the acceptance of grant funds in the amount of \$30,725 from the Downtown Austin Alliance; and amending the Fiscal Year 2010-2011 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate an additional \$30,725 for a total of \$570,725 in funding for the Downtown Ranger Program.

Public Works

34. Authorize negotiation and execution of a Master Utility Adjustment Agreement and any amendments thereto between the City of Austin and Central Texas Mobility Constructors LLC (CTMC) for Utility Relocations and Betterments within the roadway right-of-way of the "Manor Expressway - US 290 (East) from US 183 to East SH 130 (E. Parmer Lane)" in an amount not to exceed \$500,000.

Purchasing Office

35. Authorize award and execution of Amendment No. 1 to a contract with BADGERMETER, INC., Milwaukee, WI, for badger meter repair parts for the Austin Water Utility, to exercise the first 12-month extension option in an estimated amount not to exceed \$15,000, and to authorize two additional 12-month extension options in an estimated amount not to exceed \$15,000 per extension option, for a revised total contract amount not to exceed \$90,000.
36. Authorize award and execution of Amendment No. 3 to a contract with NATIONAL WORKS, INC., New Braunfels, TX for additional services for cleaning and inspection of large diameter sanitary sewer collection system lines for the Austin Water Utility in

an amount not to exceed \$125,164.25 for a revised contract amount of \$625,821.25, for a revised total agreement amount not to exceed \$1,672,842.75.

37. Authorize award and execution of a contract with ATLAS COPCO COMPTEC, LLC., Voorheesville, NY for the one-time purchase of replacement blower parts for the Austin Water Utility in an amount not to exceed \$112,857. Atlas Copco Comptec LLC is the sole source provider for these products.
38. Authorize award and execution of a 36-month requirements supply contract with KEMIRA WATER SOLUTIONS, INC., Lawrence, KS, for the purchase of liquid ferric sulfate for the Austin Water Utility in an estimated amount not to exceed \$1,773,630, with three 12-month extension options in an estimated amount not to exceed \$591,210 per extension option, for a total estimated contract amount not to exceed \$3,547,260.
39. Authorize award and execution of a 12-month requirements service contract with WACHS WATER SERVICES, Buffalo Grove, IL, to provide leak detection services for the Austin Water Utility in an estimated amount not to exceed \$191,450, with two 12-month extension options in an estimated amount not to exceed \$191,450 per extension option, for a total estimated contract amount not to exceed \$574,350.
40. Authorize award and execution of a 36-month requirements service contract with BLACKMON MOORING OF TEXAS, INC., Austin, TX, to provide applied structural drying services for the Austin Water Utility in an estimated amount not to exceed \$180,000, with three 12-month extension options in an estimated amount not to exceed \$60,000 per extension option, for a total estimated contract amount not to exceed \$360,000.
41. Authorize award and execution of a contract with HILL COUNTRY FENCE, INC., Spicewood, TX for the purchase and installation of fence at the Balcones Canyonlands Preserve, Ivanhoe & Long Canyon for the Austin Water Utility in an amount not to exceed \$119,572.
42. Authorize award and execution of a 36-month requirements supply contract with MUELLER SYSTEMS, LLC., Cleveland, NC, for the purchase of water meters for the Austin Water Utility in an estimated amount not to exceed \$386,220, with three 12-month extension options in an estimated amount not to exceed \$128,740 per extension option, for a total estimated contract amount not to exceed \$772,440.
43. Authorize award and execution of a 24-month requirements supply contract with HD SUPPLY WATERWORKS, Round Rock, Texas, for the purchase of concrete manhole sections for the Austin Water Utility in an estimated amount not to exceed \$28,770, with two 12-month extension options in an estimated amount not to exceed \$14,385 per extension option, for a total estimated contract amount not to exceed \$57,540.
44. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD, Nederland, TX, for the purchase of 32 light-duty pick up trucks in an amount not to exceed \$728,774.65.
45. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD., Nederland,

TX, for the purchase of 38 medium-duty service vehicles in an amount not to exceed \$1,594,729.60.

46. Authorize award and execution of a 36-month requirements service contract with AUSTIN HI-TECH RESTORATION, INC. Austin, TX, or one of the other qualified bidders for IFB-BV No. PAX0209, for temporary fencing and boarding in an estimated amount not to exceed \$535,080, with three 12-month extension options in estimated amounts not to exceed \$254,016 for the first extension option, \$304,819 for the second extension option, and \$365,783 for the third extension option, for a total estimated contract amount not to exceed \$1,459,698.
47. Authorize award and execution of a 12-month requirements service contract with HLP INC., Lakewood, CO to provide maintenance and support of Chameleon/CMS and Chameleon Public Access software programs for the Town Lake Animal Center (TLAC) in an estimated amount not to exceed \$26,880, with three 12-month extension options in estimated amount not to exceed \$26,880 per extension option, for a total estimated contract amount not to exceed \$107,520.
48. Authorize award and execution of Amendment No. 4 to a contract with ASSOCIATED TIME & PARKING CONTROLS, INC., Austin, TX, for system maintenance and technical support for the parking revenue control equipment at the Austin-Bergstrom International Airport to provide funding in an estimated amount not to exceed \$929,098, for a total estimated contract amount not to exceed \$1,379,098. Associated Time & Parking Controls, Inc. is the sole source provider for the maintenance and support of the equipment.
49. Authorize award, negotiation, and execution of Amendment No. 1 to a contract with i2, INC., McLean, VA, for the purchase of Compstat Analyzer software module for the Austin Police Department in an amount not to exceed \$49,950 and authorization to increase the four remaining extension options in an amount not to exceed \$6,450 per extension option (from \$56,646 to \$63,096 per extension option), for a revised total contract amount not to exceed \$1,020,328.
50. Authorize award and execution of Amendment No. 2 to a contract with HILL'S PET NUTRITION SALES INC., Topeka, KS for the purchase of prescription pet food for the Town Lake Animal Center to extend the contract for one 12-month period in an amount not to exceed \$15,000, and authorize one additional 12-month extension option in an amount not to exceed \$15,000, for a revised total estimated contract amount not to exceed \$90,000.
51. Authorize award and execution of a 36-month requirements supply contract with COMADE INC., Santa Ana, CA to provide traffic safety equipment in an estimated amount not to exceed \$145,764, with three 12-month extension options in estimated amounts not to exceed \$69,198 for the first extension option, \$83,037 for the second extension option, and \$99,645 for the third extension option, for a total estimated contract amount not to exceed \$397,644.
52. Authorize award and execution of a 36-month requirements supply agreement with LNT SOLUTIONS, INC., Exton, PA, for deicing materials for the Austin-Bergstrom International Airport in an estimated amount not to exceed \$1,917,000, with two 12-month extension options in an estimated amount not to exceed \$639,000 per extension option, for a total estimated contract amount not to exceed \$3,195,000.

53. Authorize award, negotiation, and execution of a 36-month revenue contract with GILA, LLC, dba MUNICIPAL SERVICES BUREAU (MSB), Austin, TX or one of the other qualified offerors to RFP No. PAX0101, for the collection of delinquent Municipal Court cases with estimated annual net to general fund revenue of \$2,850,000, with three 12-month extension options with estimated revenue of \$2,850,000 per extension option, for a total estimated contract revenue of \$17,100,000.
54. Authorize award and execution of a 36-month requirements service agreement with JOHNSON CONTROLS, INC., Austin, TX, to provide chiller maintenance and repair services in an estimated amount not to exceed \$691,600, with three 12-month extension options in estimated amounts not to exceed \$328,320 for the first extension option, \$393,984 for the second extension option, and \$472,780 for the third extension option, for a total estimated contract amount not to exceed \$1,886,684.
55. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with INTERTECH FLOORING, Austin, TX, for the purchase and installation of carpet at the Austin-Bergstrom International Airport in an amount not to exceed \$122,832.
56. Authorize award and execution of a 12-month service contract with ALLIED INDUSTRIES, INC., Irving, TX, to provide demolition and debris removal services for the Code Compliance Department in an amount not to exceed \$82,800 with four 12-month extension options in an amount not to exceed \$82,800 per extension option, for a total contract amount not to exceed \$414,000.
57. Authorize award and execution of a 36-month requirements supply contract with INDUSTRIAL DISPOSAL SUPPLY CO., INC. San Antonio, TX to provide repair parts and services for Advance street sweepers in an estimated amount not to exceed \$255,232, with three 12-month extension options in amounts not to exceed \$118,874 for the first extension option, \$141,569 for the second extension option, and \$168,803 for the third extension option, for a total estimated contract amount not to exceed \$684,478. Industrial Disposal Supply Co., Inc, is the single source provider for these parts and services.
58. Authorize award and execution of Amendment No. 1 to a contract with POLLYANNA THEATRE CO., Austin, TX, to provide outreach live performance program services for Solid Waste Services Department, to extend the contract for one 12-month period in an estimated amount not to exceed \$19,060, with two additional 12-month extension options in the amount of \$19,060 per extension option, for a revised total contract amount not to exceed \$114,360.
59. Authorize award and execution of a 12-month requirements supply contract with ACE 1 POWER EQUIPMENT, Austin, TX, for the purchase of meter sockets with prewired voltage transformer packs for Austin Energy in an estimated amount not to exceed \$150,000, with four 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a total estimated contract amount not to exceed \$750,000.
60. Authorize award and execution of a 12-month requirements supply contract with TEXAS ELECTRIC COOPERATIVES, Georgetown, TX, for the purchase of relays for switchgear and control panels for Austin Energy in an estimated amount not to

exceed \$200,000, with four 12-month extension options in an estimated amount not to exceed \$200,000 per extension option, for a total estimated contract amount not to exceed \$1,000,000.

61. Authorize award and execution of a 12-month requirements supply contract with WAUKESHA ELECTRIC SYSTEMS, INC., Dallas, TX, for the purchase of load tap changer kits for use at Austin Energy substations in an estimated amount not to exceed \$200,000, with four 12-month extension options in an estimated amount not to exceed \$200,000 per extension option, for a total estimated contract amount not to exceed \$1,000,000.
62. Authorize award, negotiation and execution of a contract with JOHNSON CONTROLS, INC., Austin, TX for a motor upgrade on a YORK chiller for the Domain District Energy Cooling System for a total estimated contract amount not to exceed \$156,690. Johnson Controls, Inc., is the sole source provider for this product.
63. Authorize award and execution of a contract with SIEMENS INDUSTRY, INC., for the purchase and installation of an electrical distribution bus duct in an amount not to exceed \$70,978. Siemens Industry, Inc., is the sole source provider for this product.
64. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with STANLEY CONVERGENT SECURITY SOLUTIONS, INC., Austin, TX, for the purchase and installation of electronic access and security systems for the new Animal Shelter in an amount not to exceed \$130,000.
65. Authorize award, negotiation, and execution of a 10-month interlocal revenue contract through Travis County with GASTON & SHEEHAN AUCTIONEERS, Pflugerville, TX, for auctioneer services with three 12-month extension options.
66. Authorize award and execution of a 24-month requirements supply contract with POWER SUPPLY, Austin, TX for the purchase of 200 Pelco Spectra 4 IP Digital Cameras for the Transportation Department in an amount not to exceed \$141,613 with two 12-month extension options in an amount not to exceed \$70,806.50 per extension for a total contract amount not to exceed \$283,226.
67. Authorize award and execution of Amendment No. 2 to a 36- month requirements supply agreement with AIRGAS SOUTHWEST, Austin, TX, for the purchase of Lumidor gas monitors and parts for the Austin Water Utility for three 12-month extension options in an estimated amount not to exceed \$40,000 per extension option, for a total estimated contract amount not to exceed \$240,000.
68. Authorize award and execution of a 12-month requirement service agreement with YOUR FLYERS DELIVERED, Austin, TX, for the distribution of door hanging advertisements for Austin Energy's Power Saver™ Programs in an estimated amount not to exceed \$29,850, with three 12-month extension options in an estimated amount not to exceed \$29,850, for a total estimated contract amount not to exceed \$119,400.

Watershed Protection Department

69. Approve negotiation and execution of a twelve (12) month Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) for the provision of transportation services for students participating in the City's Earth Camp program for

fiscal year 2011-2012 not to exceed an amount of \$26,000, with five additional one-year extension options, each in an amount not to exceed \$26,000, for a total contract amount not to exceed \$156,000.

70. Approve an ordinance authorizing acceptance of grant funds in the amount of \$1,189,356 from the Office of the Governor, Division of Emergency Management and amending the Fiscal Year 2010-2011 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to accept and appropriate \$1,189,356 to the DR-1709 "2007 Severe Storms & Flooding" HMGP Program for the buyout and demolition of mobile homes in the floodplain of West Bouldin Creek in the Woodview Mobile Home Park. Related to Item #25 and Item #26.
(Notes: Related to item # 8499 and item # 8933)
71. Approve an ordinance accepting mitigation funds in the amount of \$410,525 pursuant to the Managed Growth Agreement with CRVI Loop 360 LP; amending the Fiscal Year 2010-2011 Barton Springs Zone Mitigation Fund to appropriate \$410,525 in mitigation funds; and amending the Fiscal Year 2010-2011 Watershed Protection Department Capital Budget (Ordinance No. 20100913-003) to transfer in \$410,525 from the Barton Springs Zone Mitigation Fund for open space acquisition. Related to Item #22.
(Notes: Related to Item #7811, Avana Land Holdings.)
72. Approve an ordinance amending the Fiscal Year 2010-2011 Watershed Protection Department Capital Budget (Ordinance No. 20100913-003) to increase appropriations by \$2,000,000 for the Little Shoal Creek Tunnel. Related to Item #11.
(Notes: Related to Item #7988 - the request to award the construction contract for the Little Shoal Creek Realignment & Utility Relocation – Phase I project.)

Item(s) from Council

73. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
74. Approve an ordinance amending City Code Section 12-3-5(B) to change the applicability of extended metered parking; and directing the City Manager to provide the council with reports and recommendations regarding extended metered parking hours
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)
75. Approve an ordinance amending Title 4 (Business Regulation and Permit Requirements) of the City Code to add a new Chapter 4-12 related to the registration of credit access businesses; providing a penalty up to \$500 for each offense; and including a defense.
(Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)
76. Approve a resolution directing the City Manager to delay implementation of Ordinance 20110303-025 as it pertains to extended parking meter hours in the area bounded by Lady Bird Lake, IH-35, 10th Street and Lamar Boulevard until January 1, 2012, and to

conduct a public process to allow stakeholders the opportunity to provide input and express concerns regarding extended parking meter hours in this area.
(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo)

77. Approve a resolution directing the Resource Management Commission (RMC) to provide a briefing to Council, with assistance from community resources if it chooses, on the topic of water conservation and reuse during the August 25th Council meeting.
(Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison CO 2: Mayor Pro Tem Sheryl Cole)
78. Approve a resolution initiating code amendments to City Code Title 25 (Land Development Code), directing the City Manager to work with stakeholders to develop recommendations regarding the use of Personal Services in LO zoning, and directing the City Manager to process code amendments to implement the recommendations.
(Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)
79. Approve a resolution initiating code amendments to City Code Title 25 (Land Development Code) and directing the City Manager to process code amendments to regulate the location and use of buildings and land for alternative financial services businesses, a proposed new use to include check cashing, payday loan, and car title loan businesses.
(Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Chris Riley CO 2: Council Member Mike Martinez)
80. Approve a resolution directing the City Manager to allocate \$24,500.00 from remaining funds in the Holly Good Neighbor Program in the Fiscal Year 2010-2011 Austin Energy Operating Budget to fund various programs.
(Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Mayor Lee Leffingwell)
81. null
(Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez)

Item(s) to Set Public Hearing(s)

82. Set a public hearing to consider an ordinance amending Chapter 25-6 of the City Code to modify parking requirements for properties in the downtown area that are zoned P-Public (C2o-2011-010). (Suggested date and time: September 22, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
83. Set a public hearing to consider an ordinance amending Ordinance No. 20070621-150 extending the expiration date, updating the site plan application number, and amending conditions for floodplain variances previously granted for construction of a mixed-use commercial project at 835 W. 6th Street that is in the 25-year and 100-year floodplains of Shoal Creek. (Suggested date and time: August 25, 2011, at 4:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX)
84. Set a public hearing to consider an ordinance regarding floodplain variances requested by Shoal Creek Walk, Ltd., owner of a commercial parking lot at 835 W. 6th Street,

which is in the 25-year and 100-year floodplains of Shoal Creek. (Suggested date and time: August 25, 2011, at 4:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX)

85. Set a Public Hearing to consider an ordinance regarding a proposal from ATMOS Energy Corporation to increase customer gas rates. (Suggested date and time: August 25, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
86. Set a public hearing to consider an ordinance amending Chapter 25-12, Article 1 of the City Code (Building Code) to amend the local amendments to the building code. (Suggested date and time: September 22, 2011, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
87. Set a public hearing to consider an ordinance amending Section 25-12-133, Article 5 of the City Code (Mechanical Code) amending certain local amendments. (Suggested date and time: September 22, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
88. Set a public hearing to consider an ordinance repealing and replacing Article 4 (Electrical Code) of Section 25-12 of the City Code to adopt the 2011 National Electrical Code, and adopting certain local amendments to the Electrical Code. (Suggested date and time: September 22, 2011, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
89. Set a public hearing to consider an ordinance amending Section 25-12-153, Article 6 of the City Code (Plumbing Code) to amend local amendments. (Suggested date and time: September 22, 2011 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

Non-Consent

Morning Briefings

90. Downtown Plan briefing

Executive Session

91. Discuss legal issues related to an Open Meetings Act complaint, associated requests made under the Public Information Act, the retention of records and financial disclosure (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
92. Discuss legal issues related to Emergency Responders for Equality, et al v. Rhoda Mae Kerr, et al., No. A 09 CA 886 LY; In the United States District Court for the Western District of Texas, Austin Division. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
93. Discuss legal issues related to No. 10-0316; City of Austin, Petitioner v. Harry M. Whittington, et al., Respondents; In the Supreme Court of Texas (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
94. Discuss legal issues in Eddie Rodriguez, et al v. Rick Perry et al, Cause No. SA-11-CA-635-OLG-JES-XR [Consolidated case], U.S. District for the Western District of Texas,

San Antonio Division. (Private Consultation with legal counsel pursuant to Section 551.071 of the Government Code).

95. Discuss legal issues in Nathaniel Sanders, Sr., Individually and As Heir to the Estate of Nathaniel Sanders II, and Yulonda Sanders, Individually, and As Heir to the Estate of Nathaniel Sanders II. v. Leonardo Quintana; In the U.S. District Court for the Western District of Texas - Austin Division; Case No. A-09-CA-426-SS and Sir Smith v. Leonardo Quintana and City of Austin, Case No. A-10-CA-778-SS; In the U.S. District Court for the Western District of Texas - Austin Division. (Private Consultation with Legal Counsel pursuant to Section 551.071 of the Government Code).

Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

96. C14-2011-0043 – 753 Montopolis – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 753 Montopolis Drive (Country Club East Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning and commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning and general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning and general commercial services-neighborhood plan (CS-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning and general commercial services-neighborhood plan (CS-NP) combining district zoning. Owner/Applicant: Babubhai Mohammad. Agent: Rafiq B. Mohammad. City Staff: Stephen Rye, 974-7604.
97. C14-2011-0062 – Junior League Office – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8501 Bluffstone Cove (Bull Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning and rural residence (RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning and rural residence (RR) district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning and rural residence (RR) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 6, 2011. Owner/Applicant: Junior League of Austin (Morgan Hardin). Agent: Winstead PC (Pete Winstead). City Staff: Sherri Sirwaitis, 974-3057.
98. C14-2011-0051 – 6104 South 1st Zoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6104 South 1st Street (Williamson Creek Watershed) from limited office (LO) district zoning to general office (GO) district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning for Tracts 1 and 2. Owner/Applicant: Mursch Partners, LP (J. Winston Krause). Agent: Werner Campbell Permits (Danae Falvo). City Staff: Wendy Rhoades, 974-7719.
99. C14-2011-0058 – 707 West Ave. Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally

known as 705, 707, 709, 711 West Avenue & 710 West 7th Street (Shoal Creek Watershed) from general office (GO) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Cirrus Logic (Thurman Case). Agent: Armbrust and Brown, P.L.L.C. (Richard Suttle) City Staff: Clark Patterson, 974-7691.

100. C14-2011-0047 – 801 South Lamar – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 South Lamar Boulevard (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-vertical mixed use building (CS-V) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building (CS-V) combining district zoning. Planning Commission Recommendation: To grant general commercial services-vertical mixed use building (CS-V) combining district zoning. Applicant: 801 Ltd. (Daryl Kunik). Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye, 974-7604.
101. C14-2011-0064 – Govalle Tunnel Centralized Odor Control Facility – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800-814 Patton Avenue (Colorado River Watershed) from family residence (SF-3) district zoning to public (P) district zoning. Staff Recommendation: To grant to public (P) district zoning. Zoning and Platting Commission Recommendation: To grant to public (P) district zoning. Owner/Applicant: City of Austin Public Works Department (Jonathan Thompson). Agent: Parsons Corporation (Monica Suarez). City Staff: Wendy Rhoades, 974-7719.
102. C14-2010-0111 – 10301 Old San Antonio Road Rezone – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10301 Old San Antonio Road (Slaughter Creek Watershed) from multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To deny multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to change a condition of zoning. Owner/Applicant: Sheldon Stablewood, LP (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.
103. C14-2011-0038 – Mountain Shadows – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8800 Sky Mountain Drive (Williamson Creek Watershed - Barton Springs Zone) from rural residential-neighborhood plan (RR-NP) combining district zoning to multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district zoning. Applicant: Judith Elaine Leggett. Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye, 974-7604.

104. C14-2011-0023 – 1601 Cedar Bend Drive – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1601 Cedar Bend Drive (Walnut Creek Watershed) from rural residence (RR) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on September 6, 2011. Owner/Applicant: Jack Cearley. Agent: Lenworth Consulting (Nash Gonzales). City Staff: Sherri Sirwaitis, 974-3057.
105. C14H-2010-0032 – Robert and Helena Ziller House – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 Edgecliff Terrace (Lady Bird Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicants: Tim and Pam Walker, owners. City Staff: Steve Sadowsky, 974-6454.

Adjourn



The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



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A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.